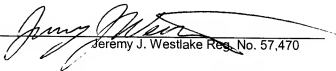


I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office this 13<sup>th</sup> day of December, 2006.

Date of Signature  
And Filing

12/13/2006

  
Jeremy J. Westlake Reg. No. 57,470

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Carlos De La Huerga  
Patent No.: 7,013,298  
Issued: March 14, 2006  
Serial No.: 09/247,349  
Filed: February 10, 1999  
Title: METHOD AND SYSTEM FOR AUTOMATED DATA STORAGE AND  
RETRIEVAL  
Docket: 250591.90112

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

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**REQUEST THAT ERROR IN SMALL ENTITY STATUS BE EXCUSED  
UNDER 37 C.F.R. § 1.28(C)**

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Dear Sir:

When paying the issue fee for the above-listed patent, the issue fee was paid as a small entity in good faith. Following payment of the issue fee as a small entity, it was later discovered that the issue fee should have been paid as a non-small entity because of a loss of status as a small entity. This error was inadvertent and was not intentionally committed to pay fees as a small entity. Accordingly, in light of the following itemization and the accompanying payment of the deficiency due, it is respectfully requested this error in small entity status be excused.

Itemization of the deficiency payment

(A) Particular Type of Fee Erroneously Paid as a Small Entity

<b>Type of Fee Erroneously Paid as a Small Entity</b>	<b>Current Fee for Non-Small Entity</b>
Issue Fee	\$1,400

(B) Small Entity Fee Paid and When Paid

<b>Type of Fee ...</b>	<b>Small Entity Fee Paid</b>	<b>Date of Payment of Small Entity Fee</b>
Issue Fee	\$ 665	May 17, 2004

(C) Deficiency Owed Amount for Each Fee Erroneously Paid

<b>Type of Fee ...</b>	<b>Deficiency Owed Amount for each Fee Erroneously Paid</b>
Issue Fee	\$ 735

(D) Total Deficiency Owed Amount

<b>Total Deficiency Owed</b>
\$ 735

The Commissioner is hereby authorized to charge the required Total Deficiency Owed in the amount of \$735 to deposit account no. 17-0055.

No additional fees for this request are believed to be due. However, if such fees are due, the Commissioner is hereby authorized to charge them to deposit account no. 17-0055.

Carlos De La Huerga

Pat. No. 7,013,29

REQUEST THAT ERROR IN SMALL ENTITY STATUS BE EXCUSED

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Please call if you have any questions or need additional information regarding this matter.

Respectfully submitted,

CARLOS DE LA HUERGA

Date: 12 / 13 / 2006

By: 

Jeremy J. Westlake

Reg. No. 57,470

Attorney for Applicant

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